

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/847,513

Attorney Docket No.: MBA-101/US

Filing Date: 05/01/2001

Art Unit: 1637

Applicants: Edward F. Delong *et al*

Examiner: Teresa E. Strzelecka

Title: Light-Driven Energy Generation Using Proteorhodopsin

CERTIFICATE OF MAILING

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STATEMENT REGARDING ACCESSIBILITY OF DEPOSIT

Mail Stop Non-Fee Amendment

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Sir:

I hereby state that all restrictions on the accessibility of the deposited biological material for the above-referenced application will be irrevocably removed by Monterey Bay Aquarium Research Institute, the Assignee of the above-referenced application, upon the granting of the patent. The deposited biological material consists of the following:

The *Escherichia coli* containing cloned DNA BAC 31A8 having assigned ATCC number PTA-3083, the *Escherichia coli* containing cloned DNA BAC 40E8 having assigned ATCC number PTA-3082, the *Escherichia coli* containing cloned DNA BAC 41B4 having assigned ATCC number PTA-3080, and the *Escherichia coli* containing cloned DNA BAC 64A5

having assigned ATCC number PTA-3081, all having been deposited on February 21, 2001 with the ATCC Patent Depository.

The Escherichia coli containing a plasmid PAL E6 having assigned ATCC number PTA-3250, the Escherichia coli containing a plasmid HOT Om1 having assigned ATCC number PTA-3251, the Escherichia coli containing a plasmid HOT 75m4 having assigned ATCC number PTA-3252, and the Escherichia coli containing cloned DNA BAC64A5 having assigned ATCC number PTA 3082, all having been deposited on March 30, 2001 with the ATCC Patent Depository.

Signature:

Marcia McNutt

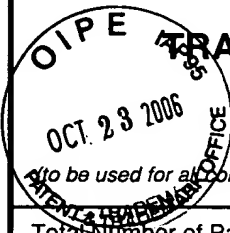
Date: October 15, 2006

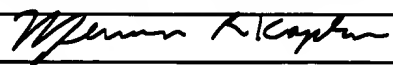
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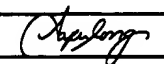
Marcia McNutt

Title:

President & CEO

 TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/847513
	Filing Date	5/1/2001
	First Named Inventor	Edward F. DeLong
	Art Unit	1637
	Examiner Name	Strzelecka, Teresa
Total Number of Pages in This Submission	Attorney Docket Number	MBA-101/US

ENCLOSURES (<i>Check all that apply</i>)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Doc(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Corresp. Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Comm. to TC <input type="checkbox"/> Appeal Comm. to Board of Appeals and Interferences <input type="checkbox"/> Appeal Comm. to TC (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other (<i>Specified below</i>)	Other: Statement Regarding Accessibility and Issue Fee _____ _____ _____ _____
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
FIRM NAME	LUMEN INTELLECTUAL PROPERTY SERVICES, Inc.		
SIGNATURE			
PRINTED NAME	Miriam R Kaplan		
DATE	10/18/06	REGISTRATION NUMBER	55,315

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